

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-20 are currently pending. Claims 1, 6, 11 and 16, which are independent, are hereby amended and overcome the claim objections. No new matter has been introduced. Support for this amendment is provided throughout the Specification, specifically at pages 9-10. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §102(b)

Claims 1-20 were rejected under 35 U.S.C. §102(b) as allegedly unpatentable over U.S. Patent No. 5,668,597 to Parulski et al. (hereafter merely "Parulski").

Claim 1 recites, *inter alia*:

"An image photographing apparatus...

a pulse counter circuit for receiving instructions from said control means pertaining to a quantity of rows that are read using a high speed clock and setting a value in response to the quantity of rows,

wherein when the quantity of rows equals a predetermined value, output signals are generated to control a switching unit which

switches from the high speed clock to a normal vertical clock.”
(emphasis added)

As understood by Applicant, Parulski relates to an apparatus for automatically focusing an image upon a progressive scan image sensor based upon signals from a partial area of the sensor. A camera apparatus is adjusted to a position where focusing the camera lens is integrated for a period of time. During this time period, a top portion of the image is rapidly read out and discarded using “fast flush” clocking where the vertical and horizontal registers are continuously clocked and a fast dump gate remains high. A vertical clock sequence is set to a line skipping operating while the small number of remaining lines are clocked out.

Applicant submits that Parulski does not teach or suggest the above-identified features of claim 1. Specifically, Applicant submits that there is no teaching or suggestion an image photographing apparatus comprising a pulse counter circuit for receiving instructions from said control means pertaining to a quantity of rows that are read using a high speed clock and setting a value in response to the quantity of rows, wherein when the quantity of rows equals a predetermined value, output signals are generated to control a switching unit which switches from the high speed clock to a normal vertical clock, as recited in claim 1.

Therefore, Applicant submits that claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, independent claims 6, 11 and 16 are also believed to be patentable.

Therefore, Applicant submits that independent claims 1, 6, 11 and 16 are patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

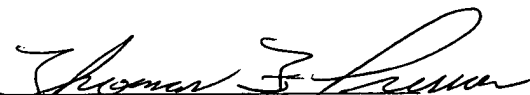
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By 

Thomas F. Presson
Reg. No. 41,442
(212) 588-0800